United Nations A/61/439

General Assembly

Distr.: General
30 November 2006

Original: English

Sixty-first session
Agenda item 63

Promotion and protection of the rights of children

Report of the Third Committee

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I. Introduction

1. At its 2nd plenary meeting, on 13 September 2006, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-first session the item entitled:

"Promotion and protection of the rights of children:

"(a) Promotion and protection of the rights of children;

"(b) Follow-up to the special session on children;"

and to allocate it to the Third Committee.

2. The Third Committee considered the item at its 13th to 17th, 20th, 34th, 51st and 52nd meetings, from 11 to 13 and on 16, 17 and 30 October and 22 November 2006. At its 13th to 16th meetings, it held a general discussion on the item. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/61/SR.13-17, 20, 34, 51 and 52).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Committee on the Rights of the Child;[1]

(b) Report of the Secretary-General on the status of the convention on the Rights of the Child (A/61/207);

(c) Report of the Secretary-General on the follow-up to the special session of the General Assembly on children (A/61/270);

[1] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 41* and corrigendum (A/61/41 and Corr.1).

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(d) Report of the Secretary-General on children and armed conflict (A/61/529-S/2006/826);

(e) Report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/61/275 and Corr.1);

(f) Note by the Secretary-General transmitting the report of the independent expert for the United Nations study on violence against children (A/61/299);

(g) Letter dated 29 August 2006 from the representative of Uzbekistan addressed to the Secretary-General (A/61/303).

4. At the 13th meeting, on 11 October, the President of the General Assembly addressed the Committee (see A/C.3/61/SR.13).

5. At the same meeting, the Committee heard statements on the launch of the Secretary-General's in-depth study on violence against children by the Assistant Secretary-General and Political Director in the Executive Office of the Secretary-General, the independent expert directing the Secretary-General's in-depth study on violence against children, the Acting Director-General of the World Health Organization, the Executive Director of the United Nations Children's Fund and the Deputy Director of the New York Office of the United Nations High Commissioner for Human Rights (see A/C.3/61/SR.13).

6. Also at the same meeting, the Committee heard a statement by a youth participant (see A/C.3/61/SR.13).

7. At the same meeting, the Committee engaged in a question-and-answer dialogue with the above-mentioned presenters, in which the Crown Prince of Norway and the representatives of Senegal, Finland (on behalf of the States Members of the United Nations that are members of the European Union), Lebanon, Costa Rica, the Sudan, Brazil, Canada, Singapore, Cuba, Sierra Leone, Egypt, New Zealand, the Syrian Arab Republic, Japan, Côte d'Ivoire, Saudi Arabia, Thailand, the United States of America and Kenya took part (see A/C.3/61/SR.13).

8. Also at the same meeting, the observer for Palestine made a statement (see A/C.3/61/SR.13).

9. At the 14th meeting, on 12 October, the Special Representative of the Secretary-General for Children and Armed Conflict made an introductory statement (see A/C.3/61/SR.14).

10. At the same meeting, the Committee engaged in a question-and-answer dialogue with the Special Representative of the Secretary-General for Children and Armed Conflict, in which the representatives of the Sudan, Finland (on behalf of the States Members of the United Nations that are members of the European Union and associated countries), Thailand, Benin, France and Azerbaijan took part (see A/C.3/61/SR.14).

11. At the 15th meeting, on 13 October, the Chairperson of the Committee on the Rights of the Child made an oral report and replied to questions posed by the representative of Finland, on behalf of the States Members of the United Nations that are members of the European Union (see A/C.3/61/SR.15).

II. Consideration of proposals

A. Draft resolution A/C.3/61/L.12

12. At the 20th meeting, on 17 October, the representative of Cuba, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and Palestine (on behalf of the States Members of the United Nations that are members of the Group of Arab States), introduced a draft resolution entitled "The situation of the Lebanese children" (A/C.3/61/L.12), which read:

"*The General Assembly*,

"*Reaffirming* the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and other human rights instruments,

"*Recalling* the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,

"*Recalling also* the Declaration and Plan of Action contained in the final document of the twenty-seventh special session of the General Assembly on children entitled "A world fit for children",

"*Guided* by relevant human rights instruments and international humanitarian law, in particular the Hague Conventions of 1899 and 1907 respecting the Laws and Customs of War on Land, which prohibit attacks against and the bombardment of civilian populations, and objects, and lay down obligations for general protection against dangers arising from military operations against civilian objects, hospitals, relief materials and means of transportation,

"*Recalling* the commitments of the High Contracting Parties to the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto,

"*Stressing* that the right to life constitutes the most fundamental of all human rights,

"*Condemning* Israeli military operations in Lebanon, which constitute gross and consistent human rights violations of the Lebanese people,

"*Deeply concerned* about the impact of the latest Israeli invasion of Lebanon on the Lebanese children,

"1. *Strongly condemns* the grave Israeli violations of human rights and breaches of international humanitarian law in Lebanon;

"2. *Strongly condemns* also the attacks and unwarranted killing of Lebanese children by Israel during its last invasion of Lebanon, which resulted in the death of more than 1,100 civilians, one third of which were children;

"3. *Stresses* the right of and the need for Lebanese children to live a normal life, free from death, military invasions and destruction;

"4. *Expresses* deep concern about the negative consequences, including the mental and psychological health impact of the Israeli military actions on the well-being of Lebanese children;

"5. *Condemns* the deliberate use by Israel of cluster bombs in Lebanon, most of which were fired in the 72 hours immediately preceding the cessation of hostilities, which left over 1 million unexploded cluster bomblets that threaten the lives of Lebanese children and all other civilians, and adversely affect the early recovery efforts;

"6. *Calls upon* the international community urgently to provide the Government of Lebanon with financial assistance in support of the national early recovery and reconstruction process, including the rehabilitation of victims, the return of displaced persons and the restoration of the essential infrastructure."

13. At the 52nd meeting, on 22 November, the representative of Cuba made a statement in which he withdrew draft resolution A/C.3/61/L.12.

B. Draft resolution A/C.3/61/L.16 and Rev.1

14. At the 34th meeting, on 30 October, the representative of Uruguay, on behalf of Antigua and Barbuda, Argentina, Austria, the Bahamas, Barbados, Belize, Bolivia, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cuba, the Czech Republic, Dominica, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Ireland, Jamaica, Latvia, Lithuania, Malta, Mexico, Monaco, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Slovakia, Slovenia, Spain, Suriname, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of), introduced a draft resolution entitled "Rights of the child" (A/C.3/61/L.16). Subsequently, Albania, Andorra, Belarus, the Congo, Moldova and Morocco joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Recalling* its previous resolutions on the rights of the child, the most recent of which is resolution 60/231 of 23 December 2005, as well as its resolution 60/141 of 16 December 2005 and Commission on Human Rights resolution 2005/44 of 19 April 2005,

"*Emphasizing* that the Convention on the Rights of the Child must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention, as well as other human rights instruments,

"*Reaffirming* the Vienna Declaration and Programme of Action, the United Nations Millennium Declaration, the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children", the Copenhagen Declaration on Social Development and the Programme of Action, the Dakar Framework for Action adopted at the World

Education Forum, the Declaration on Social Progress and Development, the Universal Declaration on the Eradication of Hunger and Malnutrition and the Declaration on the Right to Development,

"*Recognizing* the importance of the integration of child rights issues into follow-up of the outcome documents of all major United Nations conferences, special sessions and summits,

"*Taking note with appreciation* of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly and on the status of the Convention on the Rights of the Child and the issues raised in Assembly resolution 60/231, as well as the report of the Chairman of the Committee on the Rights of the Child,

"*Reaffirming* that the best interests of the child shall be a primary consideration in all actions concerning children,

"*Recognizing* the importance of incorporating a child-protection perspective across the human rights agenda, as highlighted in the outcome of the 2005 World Summit,

"*Profoundly concerned* that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, environmental damage, natural disasters, armed conflict, displacement, violence, abuse, exploitation, trafficking in children and their organs, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

"*Reaffirming* the need for mainstreaming a gender perspective in all policies and programmes relating to children, and recognizing the child as a rights holder in all policies and programmes relating to children,

"I

"Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

"1. *Reaffirms* that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents;

"2. *Urges* States that have not yet done so to become parties to the Convention on the Rights of the Child and the Optional Protocols thereto as a matter of priority and to implement them fully by, inter alia, putting in place effective national legislation, policies and action plans, strengthening relevant governmental structures for children and ensuring adequate and systematic training in the rights of the child for professional groups working with and for children;

"3. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing other reservations with a view to withdrawing them;

"4. *Welcomes* the work of the Committee on the Rights of the Child, and calls upon all States to strengthen their cooperation with the Committee, to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, and to take into account its recommendations on implementation of the Convention;

"5. *Requests* all relevant organs of the United Nations system and United Nations mechanisms regularly and systematically to incorporate a strong child rights perspective throughout all activities in the fulfilment of their mandates, as well as to ensure that their staff are trained in child rights matters, and calls upon States to continue to cooperate closely with all these mechanisms, in particular the special reporters and special representatives of the United Nations system;

"6. *Encourages* States to strengthen their national statistical capacities and to use statistics disaggregated, inter alia, by age, gender and other relevant factors that may lead to disparities and other statistical indicators at the national, subregional, regional and international levels to develop and assess social policies and programmes so that economic and social resources are used efficiently and effectively for the full realization of the rights of the child;

"II

"Promotion and protection of the rights of the child

"Registration, family relations and adoption

"7. *Once again urges* all States to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to preserve the child's identity, including nationality, name and family relations, as recognized by law, to allow for the registration of the child immediately after birth, to ensure that registration procedures are simple, expeditious and effective and provided at minimal or no cost and to raise awareness of the importance of birth registration at the national, regional and local levels;

"8. *Encourages* States to adopt and enforce laws and improve the implementation of policies and programmes to protect children growing up without parents or caregivers, recognizing that, where alternative care is necessary, family- and community-based care should be promoted over placement in institutions;

"9. *Calls upon* States to guarantee, to the extent consistent with the obligations of each State, the right of a child whose parents reside in different States to maintain, on a regular basis, save in exceptional circumstances, personal relations and direct contact with both parents by providing means of access and visitation in both States and by respecting the principle that both parents have common responsibilities for the upbringing and development of their children;

"10. *Also calls upon* States to address and pay particular attention to cases of international parental or familial child abduction, and encourages States to engage in multilateral and bilateral cooperation to resolve these cases, preferably by accession to the Hague Convention on the Civil Aspects of International Child Abduction, and to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

"11. *Further calls upon* States to take all necessary measures to prevent and combat illegal adoptions and all adoptions that are not in the best interests of the child;

"Economic and social well-being of children

"12. *Calls upon* States and the international community to create an environment in which the well-being of the child is ensured, inter alia, by:

"(a) Cooperating, supporting and participating in global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all these levels, in order to ensure that all the internationally agreed development and poverty eradication goals, including those set out in the United Nations Millennium Declaration, are realized within their time framework, reaffirming that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

"(b) Recognizing the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, ensuring that all children have access to education of good quality, as well as making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion;

"(c) Taking all necessary measures to ensure the right of the child to the enjoyment of the highest attainable standard of health and developing sustainable health systems and social services, ensuring access to such systems and services without discrimination, paying particular attention to adequate food and nutrition and assigning priority to activities and programmes aimed at preventing addictions, in particular addiction to alcohol and tobacco, and the abuse of narcotic drugs, psychotropic substances and inhalants and by, inter alia, securing appropriate prenatal and post-natal care for mothers, including measures to prevent mother-to-child transmission of HIV;

"(d) Supporting adolescents to be able to deal positively and responsibly with their sexuality in order to protect themselves from HIV/AIDS infection and implementing measures to increase their capacity to protect themselves from HIV/AIDS through, inter alia, the provision of health care, including for sexual and reproductive health, and through preventive education that promotes gender equality;

"(e) Designing and implementing programmes to provide social services and support to pregnant adolescents and adolescent mothers, in particular by enabling them to continue and complete their education;

"*Violence against children*

"13. *Welcomes* the note by the Secretary-General transmitting the report of the independent expert for the United Nations study on violence against children and the participatory process through which the report was prepared, takes fully into account its recommendations, and encourages Member States and requests United Nations entities, regional entities and civil society to widely disseminate and follow up on the study;

"14. *Condemns*, and urges States to prohibit, all forms of violence against children, including physical, mental and sexual violence, torture, child abuse and exploitation, hostage-taking, domestic violence, trafficking in or sale of children and their organs, paedophilia, child prostitution, child pornography, child sex tourism, gang-related violence and harmful traditional practices in all settings, including the home, schools and other educational settings and institutions through care and justice systems;

"15. *Condemns* the abduction of children, in particular extortive abduction and abduction of children in situations of armed conflict, including for the recruitment and use of children in armed conflicts, and urges States to take all appropriate measures to secure their unconditional release, rehabilitation, reintegration and reunification with their families;

"16. *Urges* States:

"(a) To strengthen efforts to prevent and protect children from all forms of violence through a comprehensive approach and to develop a multifaceted and systematic framework to respond to violence against children which is integrated into national planning processes;

"(b) To strive to transform attitudes that condone or normalize any form of violence against children;

"(c) To end impunity for perpetrators of crimes against children, investigate and prosecute all acts of violence and impose appropriate penalties;

"(d) To protect children from all forms of violence or abuse by government officials, such as the police, law enforcement authorities and employees and officials in detention centres or welfare institutions;

"(e) To take measures to protect children from all forms of violence or abuse in schools, to promote constructive and positive forms of discipline and child development approaches and to establish complaint mechanisms that are age- and gender-appropriate and accessible to children, taking into account children's evolving capacities and the importance of respecting their views;

"(f) To ensure that all those who work with and for children protect children from bullying and implement preventive and anti-bullying policies;

"(g) To address the gender dimension of all forms of violence against children and incorporate a gender perspective in all policies adopted and actions taken to protect children against all forms of violence;

"(h) To strengthen international cooperation and mutual assistance to prevent and protect children from all forms of violence and to end impunity for crimes against children;

"17. *Recognizes* the contribution of the International Criminal Court in ending impunity for the most serious crimes against children, including genocide, crimes against humanity and war crimes, and calls upon States not to grant amnesties for such crimes;

"18. *Calls upon* the relevant organizations of the United Nations system, in particular the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the World Health Organization and the International Labour Organization, to explore ways and means, within their respective mandates, by which they can contribute more effectively to addressing the need to prevent and to respond to all forms of violence against children;

"*Non-discrimination*

"19. *Calls upon* all States to ensure the enjoyment by children of all their civil, political, economic, social and cultural rights without discrimination of any kind;

"20. *Notes with concern* the large number of children who are victims of racism, racial discrimination, xenophobia and related intolerance, stresses the need to incorporate special measures, in accordance with the principle of the best interests of the child and respect for his or her views, in programmes to combat racism, racial discrimination, xenophobia and related intolerance, and calls upon States to provide special support and ensure equal access to services for all children;

"21. *Calls upon* States to take all necessary measures, including legal reforms where appropriate, to eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female genital mutilation, marriage without the free and full consent of the intending spouses, early marriage and forced sterilization, by enacting and enforcing legislation and by formulating, where appropriate, comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to protect girls;

"22. *Also calls upon* States to take the necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities in both the public and the private spheres, including access to good quality education and health care and protection from violence, abuse and neglect, and to develop and, where it already exists, to enforce legislation to prohibit discrimination against them in order to ensure their inherent dignity, promote their self-reliance and facilitate their active participation and integration in the community, taking into account the particularly difficult situation of children with disabilities living in poverty;

"Promoting and protecting the rights of children, including children in particularly difficult situations

"23. *Calls upon* all States to prevent violations of the rights of children working and/or living on the street, including discrimination, arbitrary detention and extrajudicial, arbitrary or summary executions, torture and all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of those children and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

"24. *Also calls upon* all States to protect refugee, asylum-seeking and internally displaced children, in particular those who are unaccompanied, who are particularly exposed to violence and risks in connection with armed conflict, such as recruitment, sexual violence and exploitation, stressing the need for States as well as the international community to continue to pay more systematic and in-depth attention to the special assistance, protection and development needs of those children through, inter alia, programmes aimed at rehabilitation and physical and psychological recovery, and to programmes for voluntary repatriation and, wherever possible, local integration and resettlement, to give priority to family tracing and family reunification and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work;

"25. *Further calls upon* all States to ensure, for children belonging to minorities and vulnerable groups, including migrant children and indigenous children, the enjoyment of all human rights as well as access to health care, social services and education on an equal basis with others and to ensure that all such children, in particular victims of violence and exploitation, receive special protection and assistance;

"26. *Calls upon* all States to protect the inheritance and property rights of orphans in law and in practice, with particular attention to underlying gender-based discrimination, which may interfere with the fulfilment of these rights;

"27. *Also calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system and to examine and devise economic policies, where necessary, in cooperation with the international community, that address factors contributing to these forms of child labour;

"28. *Urges* all States that have not yet done so to consider signing and ratifying or acceding to the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the

Worst Forms of Child Labour, 1999 (Convention No. 182) of the International Labour Organization;

"29. *Calls upon* all States, in particular those States in which the death penalty has not been abolished:

"(a) To abolish by law, as soon as possible, the death penalty and life imprisonment without possibility of release for those below the age of 18 years at the time of the commission of the offence;

"(b) To comply with their obligations as assumed under relevant provisions of international human rights instruments, including the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights;

"(c) To keep in mind the safeguards guaranteeing protection of the rights of those facing the death penalty and the guarantees set out in United Nations safeguards adopted by the Economic and Social Council;

"30. *Also calls upon* all States to ensure that no child in detention is sentenced to forced labour or any form of cruel or degrading punishment, or deprived of access to and provision of health-care services, hygiene and environmental sanitation, education, basic instruction and vocational training;

"31. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, considering, inter alia, views, skills and capacities that those children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

"*Prevention and eradication of the sale of children, child prostitution and child pornography*

"32. *Calls upon* all States:

"(a) To criminalize and penalize effectively all forms of sexual exploitation and sexual abuse of children, including all acts of paedophilia, including within the family or for commercial purposes, child pornography and child prostitution, child sex tourism, trafficking in children, the sale of children and the use of the Internet for these purposes, and to take effective measures against the criminalization of children who are victims of exploitation;

"(b) To ensure the prosecution of offenders, whether local or foreign, by the competent national authorities, either in the country in which the crime was committed, in the country of which the offender is a national or resident, in the country of which the victim is a national or on any other basis permitted under domestic law, and for these purposes to afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings;

"(c) To criminalize and penalize effectively the sale of children and the transfer of organs of the child for profit, to increase cooperation at all levels to prevent and dismantle networks trafficking or selling children and their organs and, for those States that have not yet done so, to consider signing and ratifying or acceding to the Protocol to Prevent, Suppress and Punish

Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

"(d) In cases of trafficking in children, the sale of children, child prostitution and child pornography, to address effectively the needs of victims, including their safety and protection, physical and psychological recovery and full reintegration into society, including through bilateral and multilateral technical cooperation and financial assistance;

"(e) To combat the existence of a market that encourages such criminal practices against children, including through the adoption, effective application and enforcement of preventive, rehabilitative and punitive measures targeting customers or individuals who sexually exploit or sexually abuse children, as well as by ensuring public awareness;

"(f) To contribute to the elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctional families, lack of education, urban-rural migration, gender discrimination, criminal or irresponsible adult sexual behaviour, child sex tourism, organized crime, harmful traditional practices, armed conflicts and trafficking in children;

"*Children affected by armed conflict*

"33. *Strongly condemns* any recruitment or use of children in armed conflict contrary to international law, as well as other violations and abuses committed against children affected by armed conflict, and urges all States and other parties to armed conflict that are engaged in such practices to end them;

"34. *Calls upon* States:

"(a) When ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, to raise the minimum age for voluntary recruitment of persons into the national armed forces from that set out in article 38, paragraph 3, of the Convention, bearing in mind that under the Convention persons under 18 years of age are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

"(b) To take all feasible measures to ensure the demobilization and effective disarmament of children used in armed conflicts and to implement effective measures for their rehabilitation, physical and psychological recovery and reintegration into society, in particular through educational measures, taking into account the rights and the specific needs and capacities of girls;

"(c) To ensure timely and adequate funding for rehabilitation and reintegration efforts for all children affected by armed conflicts, particularly in support of national initiatives, to secure the long-term sustainability of such efforts;

"(d) To protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law and to ensure that they receive timely, effective humanitarian assistance, in accordance with international humanitarian law, including the Geneva

Conventions of 12 August 1949, and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

"(e) To take all necessary measures, in accordance with international humanitarian law and human rights law, as a matter of priority, to prevent the recruitment and use of children by armed groups, as distinct from the armed forces of a State, including the adoption of policies that do not tolerate the recruitment and use of children in armed conflict, and legal measures necessary to prohibit and criminalize such practices;

"35. *Welcomes* the valuable work of the United Nations Children's Fund, and looks forward to the results of updating the Cape Town principles and Best Practices adopted at the symposium on the prevention of recruitment of children into the armed forces and on demobilization and social integration of child soldiers in Africa, held in Cape Town, South Africa, from 27 to 30 April 1997;

"36. *Reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, and notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict;

"37. *Notes with appreciation* the steps undertaken regarding Security Council resolution 1612 (2005) and the efforts of the Secretary-General to implement the monitoring and reporting mechanism called for in that resolution, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, as well as the work carried out by United Nations child protection advisers in peacekeeping operations;

"38. *Welcomes* the appointment of Ms. Radhika Coomaraswamy as the Special Representative of the Secretary-General for Children and Armed Conflict, in accordance with General Assembly resolutions 51/77 of 12 December 1996 and 60/231, and recognizes the progress achieved since the establishment of the mandate of the Special Representative, as extended by resolution 60/231;

"39. *Takes note with appreciation* of the report of the Special Representative of the Secretary-General for Children and Armed Conflict;

"III
"Children and poverty

"40. *Reiterates* that eradicating poverty is the greatest global challenge facing the world today and an indispensable requirement for sustainable development, in particular for developing countries, and recognizes that chronic poverty remains the single biggest obstacle to meeting the needs and protecting and promoting the rights of children;

"41. *Recognizes* that the number of people living in extreme poverty in many countries continues to increase, with women and children constituting

the majority and the most affected groups, in particular in the least developed countries and in sub-Saharan Africa;

"42. *Also recognizes* that growing inequality within countries is a major challenge to poverty eradication, particularly affecting those living in middle-income countries, and stresses the need to support the development efforts of those countries;

"43. *Reaffirms* that democracy, development and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and contribute to the eradication of extreme poverty;

"44. *Recognizes* that children living in poverty are deprived of nutrition, water and sanitation facilities, access to basic health-care services, shelter, education, participation and protection and that while a severe lack of goods and services hurts every human being, it is most threatening to children;

"45. *Emphasizes* the critical role of both formal and non-formal education, in particular basic education and training, especially for girls, in empowering those living in poverty;

"46. *Recognizes* the devastating effect of HIV/AIDS, malaria, tuberculosis and other infectious and contagious diseases on human development, economic growth, food security and poverty reduction efforts in all regions, in particular sub-Saharan Africa, and urges Governments and the international community to give urgent priority to combating those diseases;

"47. *Also recognizes* that countries struggle to develop when their citizens grow up malnourished, poorly educated or ravaged by disease, as these factors can perpetuate poverty and low productivity;

"48. *Reaffirms* that chronic poverty remains one of the biggest obstacles to meeting the needs and protecting and promoting the rights of children and that urgent national and international action is therefore required to eliminate it;

"49. *Also reaffirms* that the primary responsibility for ensuring an enabling environment for securing the well-being of children, in which the rights of each and every child are promoted and respected, rests with each individual country;

"50. *Calls upon* all States and the international community to mobilize all necessary resources, support and efforts to eradicate poverty, according to national plans and strategies and in consultation with national Governments, through an integrated and multifaceted approach based on the rights and well-being of children;

"51. *Further calls upon* all States and the international community, where appropriate:

"(a) To integrate the international obligations related to the rights and well-being of the child and the internationally agreed development goals, including the Millennium Development Goals, in national development strategies and plans, including the poverty reduction strategy papers where they exist, and calls upon the international community to continue to support

developing countries in the implementation of those development strategies and plans;

"(b) To work for a solid effort of national and international action to enhance children's health, to promote prenatal care and to lower infant and child mortality in all countries and among all peoples;

"(c) To promote the provision of clean water in all communities for all their children, as well as universal access to sanitation;

"(d) To take all necessary measures to eradicate hunger, malnutrition and famine;

"(e) To transfer the necessary additional resources to developing countries through the coherent mobilization of all sources of financing for development, including domestic resources, international investment flows, official development assistance and external debt relief, and to commit themselves to a universal, open, equitable, rule-based, predictable and non-discriminatory global trading system in order to stimulate development worldwide to ensure the well-being of the most vulnerable sectors of the populations, in particular children;

"**Follow-up**

"52. *Decides*:

"(a) To request the Secretary-General to submit to the General Assembly at its sixty-second session a report on the rights of the child, containing information on the status of the Convention on the Rights of the Child and the issues contained in the present resolution;

"(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the progress achieved and remaining challenges on the children and armed conflict agenda;

"(c) To invite the independent expert for the United Nations study on violence against children, in consultation with Member States, relevant organizations and bodies of the United Nations system, in particular the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the World Health Organization, the International Labour Organization and the Committee on the Rights of the Child, and regional organizations, national institutions and non-governmental organizations to promote the wide dissemination of the United Nations study on violence against children, to support the effective follow-up to its recommendations with an integrated approach that bridges the dimensions of public health, child protection and human rights, to submit to the General Assembly at its sixty-second session a report on progress made in the initial phase of the follow-up and to anticipate the necessary strategy for follow-up to the implementation of the study;

"(d) To reiterate its invitation to the Chairman of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-second session as a way to enhance communication between the Assembly and the Committee;

"(e) To pay particular attention to the protection of and the rights of children living in poverty at the commemorative plenary meeting to be held in 2007 devoted to the follow-up to the outcome of the twenty-seventh special session of the General Assembly;

"(f) To continue its consideration of this question at its sixty-second session under the item entitled 'Promotion and protection of the rights of children', focusing on the theme 'Violence against children'."

15. At its 51st meeting, on 22 November, the Committee had before it a revised draft resolution (A/C.3/61/L.16/Rev.1), submitted by the sponsors of draft resolution A/C.3/61/L.16 and Algeria, Angola, Armenia, Australia, Azerbaijan, Belgium, Bosnia and Herzegovina, Burkina Faso, Canada, Cape Verde, Côte d'Ivoire, Croatia, Cyprus, Denmark, France, Germany, Greece, Iceland, Italy, Kazakhstan, Kenya, Kyrgyzstan, Lesotho, Liechtenstein, Luxembourg, Malawi, Mauritania, Mauritius, Namibia, Nepal, the Netherlands, New Zealand, Nigeria, Norway, the Russian Federation, San Marino, Senegal, Serbia, South Africa, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Turkmenistan and the United Republic of Tanzania. Subsequently, Benin, Burundi, the Democratic Republic of the Congo, Eritrea, Ethiopia, Fiji, the Gambia, Ghana, Liberia, Madagascar, Mali, Mongolia, Mozambique, the Philippines, Rwanda, Swaziland and Uzbekistan joined in sponsoring the draft resolution.

16. At the same meeting, the Committee was advised that the draft resolution had no programme budget implications.

17. Also at its 51st meeting, the Committee adopted revised draft resolution A/C.3/61/L.16/Rev.1 by a recorded vote of 176 to 1 (see para. 20). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia,

Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

United States of America.

Abstaining:

None.

18. After the vote, statements were made by the representatives of Japan, the Sudan, the Syrian Arab Republic, Sri Lanka, Finland (on behalf of the States Members of the United Nations that are members of the European Union and associated countries), Uruguay (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States) and Singapore (see A/C.3/61/SR.51).

C. Draft decision proposed by the Chairman

19. At its 52nd meeting, on 22 November, on the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it take note of the report of the Committee on the Rights of the Child (see para. 21).[1]

III. Recommendation of the Third Committee

20. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Rights of the child

The General Assembly,

Recalling its previous resolutions on the rights of the child, the most recent of which is resolution 60/231 of 23 December 2005, and its resolution 60/141 of 16 December 2005, as well as Commission on Human Rights resolution 2005/44 of 19 April 2005,[1]

Emphasizing that the Convention on the Rights of the Child[2] must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention,[3] as well as other human rights instruments,

Reaffirming the Vienna Declaration and Programme of Action,[4] the United Nations Millennium Declaration[5] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[6] and recalling the Copenhagen Declaration on Social Development and the Programme of Action,[7] the Dakar Framework for Action adopted at the World Education Forum,[8] the Declaration on Social Progress and Development,[9] the Universal Declaration on the Eradication of Hunger and Malnutrition[10] and the Declaration on the Right to Development,[11]

Recognizing the importance of the integration of child rights issues into follow-up of the outcome documents of all major United Nations conferences, special sessions and summits,

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[12] and on the status of the Convention on the Rights of the Child and the issues raised in Assembly

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[1] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigendum (E/2005/23 and Corr.1), chap. II, sect. A.

[2] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[3] Ibid., vol. 2171, No. 27531; and ibid., vol. 2173, No. 27531.

[4] A/CONF.157/24 (Part I), chap. III.

[5] See resolution 55/2.

[6] Resolution S-27/2, annex.

[7] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[8] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[9] See resolution 2542 (XXIV).

[10] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[11] Resolution 41/128, annex.

[12] A/61/270.

resolution 60/231,[13] as well as the report of the Chairman of the Committee on the Rights of the Child,

Reaffirming that the best interests of the child shall be a primary consideration in all actions concerning children,

Recognizing the importance of incorporating a child-protection perspective across the human rights agenda, as highlighted in the outcome of the 2005 World Summit,

Taking note with appreciation of the attention paid to children in the draft Convention on the Rights of Persons with Disabilities[14] and in the International Convention for the Protection of All Persons from Enforced Disappearance,[15]

Profoundly concerned that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, environmental damage, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, exploitation, trafficking in children and their organs, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Reaffirming the need for mainstreaming a gender perspective in all policies and programmes relating to children, and recognizing the child as a rights holder in all policies and programmes relating to children,

I
Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents;

2. *Urges* States that have not yet done so to become parties to the Convention on the Rights of the Child[2] and the Optional Protocols thereto[3] as a matter of priority and to implement them fully by, inter alia, putting in place effective national legislation, policies and action plans, strengthening relevant governmental structures for children and ensuring adequate and systematic training in the rights of the child for professional groups working with and for children;

3. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing other reservations with a view to withdrawing them;

4. *Welcomes* the work of the Committee on the Rights of the Child, and calls upon all States to strengthen their cooperation with the Committee, to comply

[13] A/61/207.

[14] See A/61/611.

[15] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 53* (A/61/53), chap. II A, resolution 1/1.

in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, and to take into account its recommendations on implementation of the Convention;

5. *Requests* all relevant organs and mechanisms of the United Nations system regularly and systematically to incorporate a strong child rights perspective throughout all activities in the fulfilment of their mandates, as well as to ensure that their staff are trained in child rights matters, and calls upon States to continue to cooperate closely with all those organs and mechanisms, in particular the special rapporteurs and special representatives of the United Nations system;

6. *Encourages* States to strengthen their national statistical capacities and to use statistics disaggregated, inter alia, by age, gender and other relevant factors that may lead to disparities and other statistical indicators at the national, subregional, regional and international levels to develop and assess social policies and programmes so that economic and social resources are used efficiently and effectively for the full realization of the rights of the child;

II
Promotion and protection of the rights of the child

Registration, family relations and adoption or other forms of alternative care

7. *Once again urges* all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to preserve the child's identity, including nationality, name and family relations, as recognized by law, to allow for the registration of the child immediately after birth, to ensure that registration procedures are simple, expeditious and effective and provided at minimal or no cost and to raise awareness of the importance of birth registration at the national, regional and local levels;

8. *Encourages* States to adopt and enforce laws and improve the implementation of policies and programmes to protect children growing up without parents or caregivers, recognizing that, where alternative care is necessary, family- and community-based care should be promoted over placement in institutions;

9. *Calls upon* States to guarantee, to the extent consistent with the obligations of each State, the right of a child whose parents reside in different States to maintain, on a regular basis, save in exceptional circumstances, personal relations and direct contact with both parents by providing enforceable means of access and visitation in both States and by respecting the principle that both parents have common responsibilities for the upbringing and development of their children;

10. *Also calls upon* States to address and pay particular attention to cases of international parental or familial child abduction, and encourages States to engage in multilateral and bilateral cooperation to resolve these cases, preferably by accession to or ratification of the Hague Convention on the Civil Aspects of International Child Abduction,[16] and therefore to be in full compliance with the Convention, and to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

[16] United Nations, *Treaty Series*, vol. 1343, No. 22514.

11. *Further calls upon* States to take all necessary measures to prevent and combat illegal adoptions and all adoptions that are not in the best interests of the child;

Economic and social well-being of children

12. *Calls upon* States and the international community to create an environment in which the well-being of the child is ensured, inter alia, by:

(a) Cooperating, supporting and participating in the global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all these levels, in order to ensure that all the internationally agreed development and poverty eradication goals, including those set out in the United Nations Millennium Declaration,[5] are realized within their time framework, and reaffirming that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

(b) Recognizing the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, ensuring that all children have access to education of good quality, as well as making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and ensuring school attendance, in particular for girls and children from low-income families;

(c) Taking all necessary measures to ensure the right of the child to the enjoyment of the highest attainable standard of health and developing sustainable health systems and social services, ensuring access to such systems and services without discrimination, paying special attention to adequate food and nutrition, to the special needs of adolescents and to reproductive and sexual health, and securing appropriate prenatal and post-natal care for mothers, including measures to prevent mother-to-child transmission of HIV;

(d) Assigning priority to developing and implementing activities and programmes aimed at treating and preventing addictions, in particular addiction to alcohol and tobacco, and the abuse of narcotic drugs, psychotropic substances and inhalants;

(e) Supporting adolescents so that they are able to deal positively and responsibly with their sexuality in order to protect themselves from HIV/AIDS infection and implementing measures to increase their capacity to protect themselves from HIV/AIDS through, inter alia, the provision of health care, including for sexual and reproductive health, and through preventive education that promotes gender equality;

(f) To put in place strategies, policies and programmes that identify and address those factors that make individuals particularly vulnerable to HIV infection in order to complement prevention programmes that address activities that place individuals at risk for HIV infection, such as risky and unsafe behaviour and injecting drug use;

(g) Designing and implementing programmes to provide social services and support to pregnant adolescents and adolescent mothers, in particular by enabling them to continue and complete their education;

Violence against children

13. *Welcomes* the Secretary-General's study on violence against children,[17] led by the independent expert for the study, takes fully into account its recommendations, and encourages Member States and requests United Nations entities, regional organizations and civil society, including non-governmental organizations, to widely disseminate and follow up on the study;

14. *Commends* the independent expert for the participatory process through which the report was prepared in close collaboration with Member States, United Nations bodies and organizations, other relevant intergovernmental organizations and civil society, including non-governmental organizations, and in particular for the unprecedented level and quality of participation by children;

15. *Condemns* all forms of violence against children, and urges States to take effective legislative and other measures to prevent and eliminate all such violence, including physical, mental, psychological and sexual violence, torture, child abuse and exploitation, hostage-taking, domestic violence, trafficking in or sale of children and their organs, paedophilia, child prostitution, child pornography, child sex tourism, gang-related violence and harmful traditional practices in all settings;

16. *Also condemns* the abduction of children, in particular extortive abduction and abduction of children in situations of armed conflict, including for the recruitment and use of children in armed conflicts, and urges States to take all appropriate measures to secure their unconditional release, rehabilitation, reintegration and reunification with their families;

17. *Urges* States:

(a) To strengthen efforts to prevent and protect children from all forms of violence through a comprehensive approach and to develop a multifaceted and systematic framework which is integrated into national planning processes, to respond to violence against children, including by giving priority attention to prevention and addressing its underlying causes;

(b) To strive to change attitudes that condone or normalize any form of violence against children;

(c) To end impunity for perpetrators of crimes against children, investigate and prosecute such acts of violence and impose appropriate penalties;

(d) To protect children from all forms of violence or abuse by government officials, such as the police, law enforcement authorities and employees and officials in detention centres or welfare institutions;

(e) To take measures to protect children from all forms of physical and mental violence and abuse in schools, including by using non-violent teaching and learning strategies and adopting classroom management and disciplinary measures that are not based on any form of cruel or degrading punishment, and to establish complaint mechanisms that are age- and gender-appropriate and accessible to

[17] See A/61/299.

children, taking into account children's evolving capacities and the importance of respecting their views;

(f) To take measures to promote constructive and positive forms of discipline and child development approaches in all settings, including the home, schools and other educational settings and throughout care and justice systems;

(g) To take measures to ensure that all those who work with and for children protect children from bullying and implement preventive and anti-bullying policies;

(h) To address the gender dimension of all forms of violence against children and incorporate a gender perspective in all policies adopted and actions taken to protect children against all forms of violence;

(i) To ensure national research and documentation to identify vulnerable groups of children, inform policy and programmes at all levels and track progress and best practices towards preventing all forms of violence against children;

(j) To strengthen international cooperation and mutual assistance to prevent and protect children from all forms of violence and to end impunity for crimes against children;

18. *Recognizes* the contribution of the International Criminal Court in ending impunity for the most serious crimes against children, including genocide, crimes against humanity and war crimes, and calls upon States not to grant amnesties for such crimes;

19. *Calls upon* the relevant organizations of the United Nations system, in particular the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the World Health Organization, the International Labour Organization, the Office of the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization, the United Nations Office on Drugs and Crime and the Division for the Advancement of Women of the Secretariat, to explore ways and means, within their respective mandates, by which they can contribute more effectively to addressing the need to prevent and to respond to all forms of violence against children;

Non-discrimination

20. *Calls upon* all States to ensure the enjoyment by children of all their civil, political, economic, social and cultural rights without discrimination of any kind;

21. *Notes with concern* the large number of children who are victims of racism, racial discrimination, xenophobia and related intolerance, stresses the need to incorporate special measures, in accordance with the principle of the best interests of the child and respect for his or her views, in programmes to combat racism, racial discrimination, xenophobia and related intolerance, and calls upon States to provide special support and ensure equal access to services for all children;

22. *Calls upon* States to take all necessary measures, including legal reforms where appropriate, to eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female genital mutilation, marriage without the free and full consent of the intending

spouses, early marriage and forced sterilization, by enacting and enforcing legislation and by formulating, where appropriate, comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to protect girls;

23. *Also calls upon* States to take the necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities in both the public and the private spheres, including access to good quality education and health care and protection from violence, abuse and neglect, and to develop and, where it already exists, to enforce legislation to prohibit discrimination against them in order to ensure their inherent dignity, promote their self-reliance and facilitate their active participation and integration in the community, taking into account the particularly difficult situation of children with disabilities living in poverty;

Promoting and protecting the rights of children, including children in particularly difficult situations

24. *Calls upon* all States to prevent violations of the rights of children working and/or living on the street, including discrimination, arbitrary detention and extrajudicial, arbitrary or summary executions, torture and all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of those children and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

25. *Also calls upon* all States to protect refugee, asylum-seeking and internally displaced children, in particular those who are unaccompanied, who are particularly exposed to violence and risks in connection with armed conflict, such as recruitment, sexual violence and exploitation, stressing the need for States as well as the international community to continue to pay more systematic and in-depth attention to the special assistance, protection and development needs of those children through, inter alia, programmes aimed at rehabilitation and physical and psychological recovery, and to programmes for voluntary repatriation and, wherever possible, local integration and resettlement, to give priority to family tracing and family reunification and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work;

26. *Further calls upon* all States to ensure, for children belonging to minorities and vulnerable groups, including migrant children and indigenous children, the enjoyment of all human rights as well as access to health care, social services and education on an equal basis with others and to ensure that all such children, in particular victims of violence and exploitation, receive special protection and assistance;

27. *Calls upon* all States to address, as a matter of priority, the vulnerabilities faced by children affected by and living with HIV, by providing support and rehabilitation to those children and their families, women and the elderly, particularly in their role as caregivers, promoting child-oriented HIV/AIDS policies and programmes and increased protection for children orphaned and affected by HIV/AIDS, ensuring access to treatment and intensifying efforts to develop new treatments for children, and building, where needed, and supporting the social security systems that protect them;

28. *Also calls upon* all States to protect, in law and in practice, the inheritance and property rights of orphans, with particular attention to underlying gender-based discrimination, which may interfere with the fulfilment of these rights;

29. *Further calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system, and to examine and devise economic policies, where necessary, in cooperation with the international community, that address factors contributing to these forms of child labour;

30. *Urges* all States that have not yet signed and ratified or acceded to the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182) of the International Labour Organization to consider doing so;

31. *Calls upon* all States, in particular those States in which the death penalty has not been abolished:

(a) To abolish by law, as soon as possible, the death penalty and life imprisonment without possibility of release for those under the age of 18 years at the time of the commission of the offence;

(b) To comply with their obligations as assumed under relevant provisions of international human rights instruments, including the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights;[18]

(c) To keep in mind the safeguards guaranteeing protection of the rights of those facing the death penalty and the guarantees set out in United Nations safeguards adopted by the Economic and Social Council;

32. *Also calls upon* all States to ensure that no child in detention is sentenced to forced labour or any form of cruel or degrading punishment, or deprived of access to and provision of health-care services, hygiene and environmental sanitation, education, basic instruction and vocational training;

33. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, considering, inter alia, views, skills and capacities that those children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

Prevention and eradication of the sale of children, child prostitution and child pornography

34. *Calls upon* all States:

(a) To criminalize and penalize effectively all forms of sexual exploitation and sexual abuse of children, including all acts of paedophilia, including within the

[18] See resolution 2200 A (XXI), annex.

family or for commercial purposes, child pornography and child prostitution, child sex tourism, trafficking in children, the sale of children and the use of the Internet for these purposes, and to take effective measures against the criminalization of children who are victims of exploitation;

(b) To ensure the prosecution of offenders, whether local or foreign, by the competent national authorities, either in the country in which the crime was committed, in the country of which the offender is a national or resident, in the country of which the victim is a national, or on any other basis permitted under domestic law, and for these purposes to afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings;

(c) To criminalize and penalize effectively the sale of children, including for the purposes of transfer of organs of the child for profit, to increase cooperation at all levels to prevent and dismantle networks trafficking or selling children and their organs and, for those States that have not yet done so, to consider signing and ratifying or acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;[19]

(d) In cases of trafficking in children, the sale of children, child prostitution and child pornography, to address effectively the needs of victims, including their safety and protection, physical and psychological recovery and full reintegration into society, including through bilateral and multilateral technical cooperation and financial assistance;

(e) To combat the existence of a market that encourages such criminal practices against children, including through the adoption, effective application and enforcement of preventive, rehabilitative and punitive measures targeting customers or individuals who sexually exploit or sexually abuse children, as well as by ensuring public awareness;

(f) To contribute to the elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctional families, lack of education, urban-rural migration, gender discrimination, criminal or irresponsible adult sexual behaviour, child sex tourism, organized crime, harmful traditional practices, armed conflicts and trafficking in children;

Children affected by armed conflict

35. *Strongly condemns* any recruitment or use of children in armed conflict contrary to international law, as well as other violations and abuses committed against children affected by armed conflict, and urges all States and other parties to armed conflict that are engaged in such practices to end them;

36. *Calls upon* States:

(a) When ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[20] to raise the minimum age for voluntary recruitment of persons into the national armed forces from that set

[19] Resolution 55/25, annex II.

[20] United Nations, *Treaty Series*, vol. 2173, No. 27531.

out in article 38, paragraph 3, of the Convention, bearing in mind that under the Convention persons under 18 years of age are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

(b) To take all feasible measures to ensure the demobilization and effective disarmament of children used in armed conflicts and to implement effective measures for their rehabilitation, physical and psychological recovery and reintegration into society, in particular through educational measures, taking into account the rights and the specific needs and capacities of girls;

(c) To ensure timely and adequate funding for rehabilitation and reintegration efforts for all children associated with armed forces and groups, particularly in support of national initiatives, to secure the long-term sustainability of such efforts;

(d) To encourage the involvement of young people in activities concerning the protection of children affected by armed conflict, including programmes for reconciliation, peace consolidation, peacebuilding and children-to-children networks;

(e) To protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law and to ensure that they receive timely, effective humanitarian assistance, in accordance with international humanitarian law, including the Geneva Conventions of 12 August 1949,[21] and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

(f) To take all necessary measures, in accordance with international humanitarian law and human rights law, as a matter of priority, to prevent the recruitment and use of children by armed groups, as distinct from the armed forces of a State, including the adoption of policies that do not tolerate the recruitment and use of children in armed conflict, and legal measures necessary to prohibit and criminalize such practices;

37. *Welcomes* the valuable work of the United Nations Children's Fund, and looks forward to the results of updating the Cape Town principles on child soldiers;

38. *Reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, and notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict;

39. *Notes with appreciation* the steps taken regarding Security Council resolution 1612 (2005) of 26 July 2005 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with that resolution, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, as well as the work carried out by United Nations child protection advisers in peacekeeping operations;

40. *Welcomes* the appointment of Ms. Radhika Coomaraswamy as the Special Representative of the Secretary-General for Children and Armed Conflict,

[21] Ibid., vol. 75, Nos. 970-973.

pursuant to General Assembly resolutions 51/77 of 12 December 1996 and 60/231, and recognizes the progress achieved since the establishment of the mandate of the Special Representative, as extended by resolution 60/231;

41. *Takes note with appreciation* of the report of the Special Representative of the Secretary-General for Children and Armed Conflict;[22]

III
Children and poverty

42. *Reiterates* that eradicating poverty is the greatest global challenge facing the world today and an indispensable requirement for sustainable development, in particular for developing countries, and recognizes that chronic poverty remains the single biggest obstacle to meeting the needs and protecting and promoting the rights of children, and that urgent national and international action is therefore required to eliminate it;

43. *Recognizes* that the number of people living in extreme poverty in many countries continues to increase, with women and children constituting the majority and the most affected groups, in particular in the least developed countries and in sub-Saharan Africa;

44. *Also recognizes* that growing inequality within countries is a major challenge to poverty eradication, particularly affecting those living in middle-income countries, and stresses the need to support the development efforts of those countries;

45. *Reaffirms* that democracy, development, peace and security, and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and contribute to the eradication of extreme poverty;

46. *Recognizes* that children living in poverty are deprived of nutrition, water and sanitation facilities, access to basic health-care services, shelter, education, participation and protection, and that while a severe lack of goods and services hurts every human being, it is most threatening and harmful to children, leaving them unable to enjoy their rights, to reach their full potential and to participate as full members of society;

47. *Emphasizes* the critical role of education, both formal and non-formal, in particular basic education and training, especially for girls, in empowering those living in poverty, and in this regard reaffirms the importance of Education for All programmes and the need to bridge the divide between formal and non-formal education, taking into account the need to ensure the good quality of educational services;

48. *Recognizes* the devastating effect of HIV/AIDS, malaria, tuberculosis and other infectious and contagious diseases on human development, economic growth, food security and poverty eradication efforts in all regions, in particular in the least developed countries and in sub-Saharan Africa, and urges Governments and the international community to give urgent priority to preventing and combating those diseases;

[22] A/61/275 and Corr.1.

49. *Also recognizes* that countries struggle to develop when their children grow up malnourished, poorly educated or ravaged by disease, as these factors can perpetuate the generational cycle of poverty;

50. *Reaffirms* that the primary responsibility for ensuring an enabling environment for securing the well-being of children, in which the rights of each and every child are promoted and respected, rests with each individual State;

51. *Calls upon* all States and the international community to mobilize all necessary resources, support and efforts to eradicate poverty, according to national plans and strategies and in consultation with national Governments, including through an integrated and multifaceted approach based on the rights and well-being of children;

52. *Also calls upon* all States, and the international community, where appropriate:

(a) To integrate the international obligations related to the rights and well-being of the child and the internationally agreed development goals, including the Millennium Development Goals, in national development strategies and plans, including the poverty reduction strategy papers where they exist, and calls upon the international community to continue to support developing countries in the implementation of those development strategies and plans;

(b) To ensure a continuum of care from pregnancy through childhood, recognizing that maternal, newborn and child health are inseparable and interdependent, and that the achievement of the Millennium Development Goals must be based on a strong commitment to the rights of women, children and adolescents;

(c) To work for a solid effort of national and international action to enhance children's health, to promote prenatal care and to lower infant and child mortality in all countries and among all peoples;

(d) To develop a national strategy of prevention and treatment to effectively address the condition of obstetric fistula and to further develop a multisectoral, comprehensive and integrated approach to bring about lasting solutions and a meaningful response to the problem of obstetric fistula and related morbidities;

(e) To promote the provision of clean water in all communities for all their children, as well as universal access to sanitation;

(f) To take all necessary measures to eradicate hunger, malnutrition and famine;

(g) To mobilize the necessary additional resources from all sources of financing for development, including domestic resources, international investment flows, official development assistance and external debt relief, and to commit themselves to a universal, open, equitable, rule-based, predictable and non-discriminatory global trading system in order to stimulate development worldwide to ensure the well-being of the most vulnerable sectors of populations, in particular children;

Follow-up

53. *Decides*:

(a) To request the Secretary-General to submit to the General Assembly at its sixty-second session a report on the rights of the child, containing information on the status of the Convention on the Rights of the Child and the issues contained in the present resolution;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the progress achieved and the remaining challenges on the children and armed conflict agenda;

(c) To invite the independent expert for the United Nations study on violence against children, in cooperation with Member States, relevant organizations and bodies of the United Nations system, in particular the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the World Health Organization, the Committee on the Rights of the Child and the Human Rights Council, and regional organizations, national institutions and civil society, including non-governmental organizations, to promote the wide dissemination of the United Nations study on violence against children, to give support to the first year of effective follow-up to its recommendations with an integrated approach that bridges the dimensions of public health, education, child protection and human rights, to submit to the General Assembly at its sixty-second session a report on progress made in the initial phase of the follow-up and to anticipate the necessary strategy for follow-up to the implementation of the study;

(d) To reiterate its invitation to the Chairman of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-second session as a way to enhance communication between the Assembly and the Committee;

(e) To pay particular attention to the protection of and the rights of children living in poverty at the commemorative plenary meeting to be held in 2007 devoted to the follow-up to the outcome of the twenty-seventh special session of the General Assembly;

(f) To continue its consideration of this question at its sixty-second session under the item entitled "Promotion and protection of the rights of children", focusing section III of the resolution on the rights of the child on "Violence against children".

21. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Report of the Committee on the Rights of the Child

The General Assembly takes note of the report of the Committee on the Rights of the Child.[1]

[1] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 41* and corrigendum (A/61/41 and Corr.1).